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Attorneys for Plaintiff

TRIA Beauty, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

TRIA BEAUTY, INC., a Delaware
corporation,

Plaintiff,

v.

NATIONAL FIRE INSURANCE
COMPANY OF HARTFORD, an Illinois
Company; TRAVELERS PROPERTY
CASUALTY COMPANY OF AMERICA, a
Connecticut Company; BEAZLEY
INSURANCE COMPANY, INC., a
Connecticut Company; and DOES 1-15,
inclusive,

Defendants.

CASE NO. CV-12-05465 WHA

Case Filed: October 22, 2012

Assigned to: The Hon. William H. Alsup
(Courtroom 8)

**STIPULATION AND ~~PROPOSED~~ ORDER
RE INITIAL CASE MANAGEMENT
CONFERENCE**

Current Initial Case Management Conference

Date: January 24, 2013

Requested Initial Case Management Conference

Date: January 31, 2013

1 **IT IS HEREBY STIPULATED** by and between counsel for the parties that:

2 WHEREAS, lead counsel for plaintiff TRIA Beauty, Inc. has a previously-scheduled
3 summary judgment hearing in another matter on the date set for the initial Case Management
4 Conference (*see* Abelson Dec. ¶ 2);

5 WHEREAS, there have not been any previous time modifications for hearings or case
6 management conferences in the case (*see* Abelson Dec. ¶ 3); and

7 WHEREAS, a one-week continuance will not impact the progress of the case (*see*
8 Abelson Dec. ¶ 4);

9 NOW, THEREFORE, the parties, through their undersigned counsel, request the Court
10 approve their stipulation as follows:

11 1. The initial Case Management Conference shall be continued from January 24,
12 2013 to January 31, 2013 or such date thereafter as is convenient for the Court; and

13 2. The Joint Case Management Statement shall be filed at least seven calendar days
14 prior to the newly set date for the initial Case Management Conference.

15 Dated: November 26 2012

ABELSON | HERRON LLP

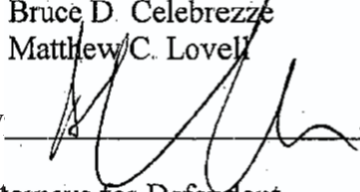
Michael Bruce Abelson
Vincent H. Herron
Susan P. Welch

18
19 By 
20 Susan P. Welch
21 Attorneys for Plaintiff
TRIA Beauty, Inc.

22 Dated: November 21, 2012

SEDGWICK LLP

Bruce D. Celebrezze
Matthew C. Lovell

23
24 By 
25
26 Attorneys for Defendant
27 Travelers Property Casualty Company of America
28

1 Dated: November 25, 2012

SHEPPARD MULLIN RICHTER &
HAMPTON LLP

Philip Atkins-Pattenson
Arthur Friedman

By Arthur Friedman

Attorneys for Defendant
Beazley Insurance Company

2 Dated: November 28, 2012

BERKES CRANE ROBINSON & SEAL LLP

Steven M. Crane
Barbara S. Hodous

By Barbara S. Hodous

Attorneys for Defendant
National Fire Insurance Company of Hartford

12 PURSUANT TO STIPULATION, IT IS SO ORDERED. The initial Case Management
13 Conference shall be held on January 31, 2012, at 11:00 a.m.



DECLARATION OF MICHAEL BRUCE ABELSON

I, Michael Bruce Abelson, declare:

1. I am licensed to practice law in the State of California and am a partner with the firm of Abelson | Herron and lead counsel to TRIA Beauty, Inc. (TRIA), in this action. I have personal knowledge of the facts set forth below, and, if called as a witness, would testify to those facts.

2. On October 18, 2012 (prior to the filing of this action), a summary judgment hearing was set for January 24, 2013 at 9:00 a.m. in Department 37 of the California Superior Court for the County of Los Angeles before Hon. Joanne B. O'Donnell. The matter is encaptioned *CalPortland Company v. Truck Insurance Exchange, et al.*, Case No. BC 455145. I am lead counsel for CalPortland in that matter and must be present to argue the summary judgment motion.

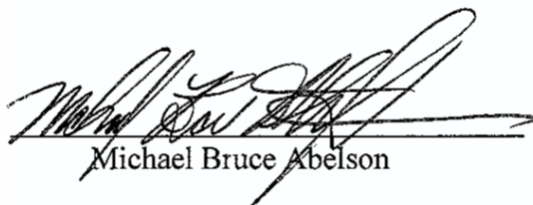
3. The initial Case Management Conference in this matter has not been previously continued, and there have been no other time modifications in this matter, other than an agreement to allow defendant Beazley Insurance Company, Inc. additional time to respond to the complaint while the parties address certain jurisdictional issues.

4. Continuing the initial Case Management Conference will not impact the schedule or progress of this matter. There are no other pending hearings or deadlines in this matter.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: November 28th, 2012

By:



Michael Bruce Abelson

PROOF OF SERVICE

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

TRIA Beauty, Inc. v. National Fire Insurance Company of Hartford, et al.
District Court Case No. C 12-05465 WHA

I am over the age of 18 and not a party to the within action; I am employed by Abelson | Herron, LLP in the County of Los Angeles at 333 South Grand Avenue, Suite 1550, Los Angeles, California 90071-1559.

On November 28, 2012, I served the document below described as:

**STIPULATION AND [PROPOSED] ORDER RE INITIAL CASE
MANAGEMENT CONFERENCE**

The document was served by the following means:

- × **BY ELECTRONIC TRANSMISSION VIA NEF** Pursuant to the Court's General Order 10-07, I electronically filed the foregoing document through the Court's CM/ECF system, which sent Notification of Electronic Filing to the persons at the e-mail addresses listed below.

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Counsel for Defendant
TRAVELERS PROPERTY
CASUALTY COMPANY OF
AMERICA

- × **BY U.S. MAIL** I enclosed the document in a sealed envelope addressed to the persons at the address listed below and placed the sealed envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the said date, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

Philip F. Atkins-Pattenson, Esq.
Arthur J. Friedman, Esq.
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San Francisco, California 94111

Counsel for Defendant
BEAZLEY INSURANCE
COMPANY, INC.

1 I declare under penalty of perjury under the laws of United States of America that the
2 foregoing is true and correct.

3 Executed on November 28, 2012 at Los Angeles, California.

4 /s/ Susan P. Welch
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